

Message Text

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ACTION L-03

INFO OCT-01 AF-08 ISO-00 DHA-02 CIAE-00 DODE-00 PM-04 H-02

INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 IO-13 /070 W

----- 061465

R 010800Z DEC 76

FM AMCONSUL CAPE TOWN

TO SECSTATE WASHDC 5518

INFO AMEMBASSY PRETORIA

AMCONSUL DURBAN

AMCONSUL JOHANNESBURG

LIMITED OFFICIAL USE CAPE TOWN 1206

E.O. 11652: N/A

TAGS: PINS, SHUM, SA

SUBJ: IMPLICATIONS OF REV. THEO KOTZE SENTENCE

REF: STATE 289588

1. CONGENOFF TALKED TO REV. THEO KOTZE NOV. 30 ON HIS RETURN FROM VISIT TO CHRISTIAN INSTITUTE (CI) OFFICES DURBAN AND JOHANNESBURG. HE CONFIRMED THAT HIS SENTENCE IS FOUR MONTHS, SUSPENDED FOR 3 YEARS ON CONDITION THAT DURING THAT TIME HE NOT REFUSE TO TESTIFY BEFORE ANY OTHER GOVERNMENT COMMISSION. THERE ARE NO RPT NO OTHER CONDITIONS. HE NOTED WRYLY THAT HE HAD "DISTINCTION" OF HEAVIEST SENTENCE SINCE BEYERS NAUDE WAS SENTENCED TO THREE MONTHS AND PETER RANDELL TO ONLY TWO MONTHS. KOTZE SAID APPEAL OF HIS SENTENCE WAS LEGALLY POSSIBLE BUT, AS EVIDENCED BY FAILURE OF NAUDE APPEAL, WOULD BE FRUITLESS, EXPENSIVE, AND TIME-CONSUMING. HE DOES NOT RPT NOT PLAN APPEAL.

2. WITH REGARD TRANSCRIPT OF HEARING, KOTZE SAID CI'S LAWYERS WOULD EVENTUALLY BE ABLE TO OBTAIN COPY (AT A COST OF R60.00 FOR SINGLE COPY) AND HE WOULD BE WILLING

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TO PERMIT CONGEN TO MAKE PHOTO COPIES IF DESIRED. IN

PHONE CALL TO LAWYER KOTZE CONFIRMED THAT OBTAINING COPY LIKELY TO TAKE CONSIDERABLE TIME BUT HE ASKED THAT IT BE EXPEDITED TO EXTENT POSSIBLE. IF EMBASSY ABLE OBTAIN COPY DIRECTLY IT MAY BE QUICKER THAN TO WAIT FOR CI TO OBTAIN.

3. WITH REGARD TO FUTURE PUBLICATIONS, KOTZE SAID THAT PUBLICATION QUOTE SOUTH AFRICA, A POLICE STATE? UNQUOTE HAS BEEN BANNED AND THERE WILL BE NO RPT NO FUTURE ISSUES. AS FOR BANDWAGON, KOTZE INDICATED THAT SINCE ONLY SPECIFIC ISSUES HAVE BEEN BANNED TO DATE WORK ON IT WILL CONTINUE. HE INDICATED THAT IT WAS HOPED ANOTHER ISSUE WOULD BE READY BY DECEMBER 20 AND HE WOULD LET US HAVE SEVERAL COPIES AS SOON AS POSSIBLE.

4. AS FOR LIKELY EFFECTS HIS SUSPENDED SENTENCE, KOTZE SAID HE WAS CONVINCED SAG WOULD ATTEMPT TO FORCE HIM, BEYERS NAUDE AND OTHERS TO TESTIFY BEFORE PARLIAMENTARY INTERNAL SECURITY COMMISSION (PISCOM) WHICH WAS ESTABLISHED DURING LAST PARLIAMENTARY SESSION AND HAS YET TO HOLD ITS FIRST SESSION. MORE BROADLY, HE SAID HE CONVINCED THAT SAG GOAL IS TO PUT CI OUT OF BUSINESS AND THAT QUESTION IS NOT WHETHER FURTHER ACTION WILL BE TAKEN BUT WHAT AND WHEN. HE SAID HE WOULD NOT BE SURPRISED IF SAG EVENTUALLY SIMPLY BANS ENTIRE INSTITUTION.

5. WITH REGARD CI PERSONNEL WHO HAVE BEEN DETAINED UNDER SECTION 6 OF TERRORISM ACT (INCLUDING PRO VERITATAE EDITOR CEDRIC MASON AND TRANSVAAL CI DIRECTOR) KOTZE SAID RUMOR IS THEY WILL BE RELEASED ON DECEMBER 31 BUT HE BELIEVES IT VERY LIKELY THAT THEY WILL BE BANNED, THUS PRECLUDING RESUMPTION THEIR FORMER ACTIVITIES.
WHITE

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Margaret P. Grafeld
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